## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

	ORDER	
	)	
Defendant	)	
SCOTT LUMLEY	)	
v.	)	Judge Trauger
Plaintiff	) ) )	Criminal No. 3:15-cr-00055
UNITED STATES OF AMERICA	)	

The defendant has filed a Motion for Early Termination of Probation (Docket No. 25), to which the government has filed a Response (Docket No. 28), and the defendant has filed a Reply (Docket No. 29). The court notes that the government's response addresses the motion as if it is a motion for early termination of supervised release under 18 U.S.C. § 3583, which it is not. It is a motion to terminate probation pursuant to 18 U.S.C. § 3564.

The court has consulted with this defendant's supervising probation officer, who agrees with the court that the pending dispute between the defendant and another individual is in the nature of a civil contract dispute and far from "illegal conduct that is nearly identical to the conduct that led to Mr. Lumley's federal conviction." (Docket No. 28 at 3). Taking into consideration all of the necessary factors set forth in 18 U.S.C. § 3553(a), the court finds that the early termination of this defendant's probationary term is warranted by his conduct and in the interest of justice. It is therefore ORDERED that the defendant's Motion for Early Termination of Probation (Docket No. 25) is GRANTED, and his probationary term shall end on September 18, 2017, when he will have been on probation for two full years.

It is so **ORDERED**.

Enter this 12<sup>th</sup> day of July 2017.

ALETA A. TRAUGER/